

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

ANGELIA ANDERSON, et. al

PLAINTIFFS

VS.

CIVIL ACTION NO. 2:08cv108-KS-MTP

WAL-MART STORES EAST, INC.

DEFENDANT

ORDER ON MOTIONS

THIS MATTER came before the court for telephonic hearing on the plaintiffs' Motion to Compel Discovery and Extend Deadline [21] and on the defendant's Motion to Amend Scheduling Order [22]. The court having considered the motions, the responses and the arguments of counsel finds that each motion should be granted in part and denied in part.

IT IS, THEREFORE, ORDERED as follows:

1. The defendant having clarified its responses and provided additional information in its reply to the motion to compel [21], the motion is now moot as to Interrogatories no. 3, 11, 12, 22 and 23 and as to Document Requests no. 4, 6, and 7.
2. The motion to compel [21] is denied with respect to document request no. 1. The request calls for information regarding trial exhibits and is, therefore, premature. The requested information will be disclosed as part of the pretrial order. *See* Local Rule 16.2.
3. The motion to compel [21] is granted with respect to Interrogatory no. 4. Defendant shall supplement its response to the interrogatory and provide the requested information.
4. The motion to compel [21] is granted with respect to Interrogatory no. 8. Defendant shall supplement its response to the interrogatory by identifying all Wal-Mart employees or former employees depicted or shown in the videotape for the period beginning five (5) minutes prior to the accident at issue to five (5) minutes after the accident.

5. The motion to compel [21] is granted in part with respect to Document Request no. 8. Defendant shall produce all documents responsive to the request for the time period beginning on the date of the accident to the date this lawsuit was filed. If any documents are withheld on grounds of privilege, work product, or other grounds, the defendant shall identify the documents withheld in a privilege log prepared in accordance with the rules of court.
6. Defendant's privilege log and supplemental responses as ordered above shall be served on or before March 13, 2009. Likewise, any documents ordered produced shall be produced on or before March 13, 2009.
7. Plaintiffs shall submit to a deposition on March 10, 2009, a date previously agreed to by all parties.
8. The parties' requests for sanctions are denied.
9. The discovery deadline is extended to April 2, 2009. The motions deadline (for all motions except motions *in limine*) is extended to April 13, 2009. The parties are advised that they have obtained the maximum possible extensions and to plan accordingly.
10. All other relief demanded in the motions [21][22] is denied.

SO ORDERED AND ADJUDGED this the 4th day of March, 2009.

s/ Michael T. Parker

United States Magistrate Judge